

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Governmental Affairs and Interstate Cooperation, to which was referred House Bill No. 1470, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, line 1, after "IC 8-22-2-4" insert ", AS AMENDED BY
- 2 P.L.137-2000, SECTION 1,".
- 3 Page 2, line 5, after "members" insert "**physically present**".
- 4 Page 2, line 5, delete "A".
- 5 Page 2, delete lines 6 through 7.
- 6 Page 2, run in lines 5 and 8.
- 7 Page 2, line 9, delete "telephonic means" and insert "**a means of a**
- 8 **communication under section 4.5 of this chapter**".
- 9 Page 2, between lines 21 and 22, begin a new paragraph and insert:
- 10 "SECTION 2. IC 8-22-2-4.5 IS ADDED TO THE INDIANA CODE
- 11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 12 1, 2003]: **Sec. 4.5. (a) This section applies to a meeting of the board**
- 13 **at which a quorum of members is physically present at the place**
- 14 **where the meeting is conducted.**
- 15 **(b) A member of the board may participate in a meeting of the**
- 16 **board by using a means of communication that allows:**
- 17 **(1) all other members participating in the meeting; and**
- 18 **(2) all members of the public physically present at the place**
- 19 **where the meeting is conducted;**
- 20 **to simultaneously communicate with each other during the**

1 meeting.

2 (c) A member who participates in a meeting under subsection
3 (b):

4 (1) is considered to be present at the meeting; and

5 (2) may not be counted for purposes of establishing a quorum.

6 (d) The memoranda of the meeting prepared under
7 IC 5-14-1.5-4 must also state the name of:

8 (1) each member who was physically present at the place
9 where the meeting was conducted;

10 (2) each member who participated in the meeting by using a
11 means of communication described in subsection (b); and

12 (3) each member who was absent."

13 Page 2, line 22, after "IC 8-22-3-9" insert ", AS AMENDED BY
14 P.L.137-2000, SECTION 2,".

15 Page 3, line 2, after "board" insert "**who are physically present**".

16 Page 3, line 3, delete "A member not present in person may
17 participate in a".

18 Page 3, delete line 4.

19 Page 3, line 5, delete "board is present in person".

20 Page 3, run in lines 3 and 5.

21 Page 3, line 7, delete "telephonic means" and insert "**a means of a**
22 **communication under section 9.5 of this chapter**".

23 Page 3, after line 20, begin a new paragraph and insert:

24 "SECTION 4. IC 8-22-3-9.5 IS ADDED TO THE INDIANA CODE
25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
26 1, 2003]: **Sec. 9.5. (a) This section applies to a meeting of the board**
27 **at which a quorum of members is physically present at the place**
28 **where the meeting is conducted.**

29 (b) A member of the board may participate in a meeting of the
30 board by using a means of communication that allows:

31 (1) all other members participating in the meeting; and

32 (2) all members of the public physically present at the place
33 where the meeting is conducted;

34 to simultaneously communicate with each other during the
35 meeting.

36 (c) A member who participates in a meeting under subsection
37 (b):

38 (1) is considered to be present at the meeting; and

39 (2) may not be counted for purposes of establishing a quorum.

40 (d) The memoranda of the meeting prepared under
41 IC 5-14-1.5-4 must also state the name of:

42 (1) each member who was physically present at the place

- 1 **where the meeting was conducted;**
- 2 **(2) each member who participated in the meeting by using a**
- 3 **means of communication described in subsection (b); and**
- 4 **(3) each member who was absent."**

5 Renumber all SECTIONS consecutively.

(Reference is to HB 1470 as printed January 24, 2003.)

and when so amended that said bill do pass .

Committee Vote: Yeas 7, Nays 1.

Senator Riegsecker, Chairperson